

**DECLARATION FOR UTILITY OR DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Attorney Docket No.: DKT 02183 (BWA 0251 PUS)
Declaration – Page 1 of 2

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

HYDRAULIC FAN DRIVE SYSTEM EMPLOYING BINARY CONTROL STRATEGY

the specification of which:

(check one) [] is attached hereto
was filed on _____; as U.S. Application Serial No. _____; and
was amended on _____ (if applicable)
OR PCT International Application Number _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 USC §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT International Application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

(Number)	(Country)	(Day/Month/Year Filed)	Priority Claimed		Certified Copy Attached	
			Yes	No	Yes	No

I hereby claim the benefit under 35 USC §120 of any United States application(s), or 365(c) of any PCT International Application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International Application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s) OR
PCT Parent Number:

(Serial Number)	(Day/Month/Year Filed)	(Patented, pending, abandoned)
-----------------	------------------------	--------------------------------

(Serial Number)	(Day/Month/Year Filed)	(Patented, pending, abandoned)
-----------------	------------------------	--------------------------------

(Serial Number)	(Day/Month/Year Filed)	(Patented, pending, abandoned)
-----------------	------------------------	--------------------------------

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application listed below:

(Application Number)

(Day/Month/Year Filed)

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

John A. Artz, Reg. No. 25,824; John S. Artz, Reg. No. 36,431; Steven W. Hays, Reg. No. 41,823
William G. Anderson, Reg. No. 27,851; Greg Dziegielewski, Reg. No. 28,073; Marc Luddy, Reg. No. 33,061

Please direct all telephone calls to:

Steven W. Hays (248) 223-9500

Send all correspondence to:

BorgWarner, Inc.
Patent Department
3800 Automation Avenue, Suite 100
Auburn Hills, MI 48326-1782
Attention: Patent Docket Administrator

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Neil E. Robb

Inventor's signature Neil E. Robb Date 8/21/03

Post Office Address same as residence Citizenship USA

Residence 2764 Brookside Boulevard, Jackson, MI 49203

Full name of second inventor: James E. Ignatovich

Inventor's signature James E. Ignatovich Date 8/25/03

Post Office Address same as residence Citizenship USA

Residence 11062 B Drive North, Ceresco, MI 49033

Full name of second inventor: Dale M. Pickelman

Inventor's signature Dale M. Pickelman Date 8/21/03

Post Office Address same as residence Citizenship USA

Residence 17457 G Drive North, Marshall, MI 49068

Full name of second inventor: Theodore A. Malott

Inventor's signature Theodore A. Malott Date 8/21/03

Post Office Address same as residence Citizenship USA

Residence 810 E. Golf, Jackson, MI 49203

Full name of second inventor: Gary E. Hart

Inventor's signature Gary E. Hart Date 8/21/03

Post Office Address same as residence Citizenship USA

Residence 6245 N. Sherman Drive, Indianapolis, IN 46220